

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

JAMES PRESTON RAY, SR.,

Petitioner,

v.

DAVID PARKER, Warden,

Respondent.

Case No. CIV-05-270-RAW

ORDER

On July 23, 2008, Magistrate Judge Kimberly E. West filed a Report and Recommendation, recommending that this action (commenced by Petitioner's filing of a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254) be, in all respects, dismissed. Petitioner filed an Objection on August 1, 2008. After de novo review, the court finds that the Magistrate Judge's Report and Recommendation is well-supported by the evidence and the prevailing legal authority. As a result, Petitioner's objections to the Report and Recommendation are overruled.

Accordingly, the Report and Recommendation of United States Magistrate Judge West is hereby AFFIRMED and ADOPTED as this court's Findings and Order. Petitioner's petition pursuant to 28 U.S.C. § 2254 is hereby DISMISSED.

IT IS SO ORDERED this 15th day of September, 2008.

Dated this 15th Day of September 2008.

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Ronald A. White
United States District Judge
Eastern District of Oklahoma